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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
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11 FRANCISCO SORIANO,) No. SA CV 08-694-SJO (PLA)
12)
13) Petitioner,)
14)
15) v.)
16)
17) BEN CURRY, Warden, et al.,)
18)
19) Respondents.)
20)

21 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the
22 magistrate judge's report and recommendation. The Court agrees with the recommendations of
23 the magistrate judge.

24 ACCORDINGLY, IT IS ORDERED:

- 25 1. The report and recommendation is adopted.
26 2. Respondent's Motion to Dismiss is granted.
27 3. Judgment shall be entered consistent with this order.
28 4. The clerk shall serve this order and the judgment on all counsel or parties of record.

DATED: January 13, 2009

/S/ S. James Otero

HONORABLE S. JAMES OTERO
UNITED STATES DISTRICT JUDGE